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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,519	09/28/2001	David A. Wyatt	42390P10978	4756

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EXAMINER

WU, XIAO MIN

ART UNIT	PAPER NUMBER
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2674

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DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,519

Applicant(s)

WYATT, DAVID A.

Examiner

XIAO M. WU

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaki et al. (US Patent No. 5,963,738) in view of Nagashima (US Patent No. 5,444,846).

As to claims 1, 7, 16, 20-22, 28, Yamaki discloses an apparatus comprising: a processor (11, 12, Fig. 2) to respond to an even-driven action (22, Fig. 2); and a driver (33, Fig. 2) coupled to the processor to perform a program function when an indication of the even-driven action is received from the processor. For example, a user can use keyboard or mouse to change the machine setting from first brightness of the LCD to a second brightness of the LCD, see Fig. 17).

It is noted that Yamaki does not specifically disclose that the driver to control a response to the even-driven action **external** to a management mode of the processor.

Nagashima is cited to teach information processing method and apparatus capable of accessing the key input or display status without the use of a master computer. Key input, display, processor, and instruction device are coupled together to save the memory capacity in a master computer and enable high-speed operation thereof (see abstract). As shown in Fig. 1, Nagashima discloses that the key-display control element (2) is external to the master CPU. It would have been obvious to one of ordinary skill in the art to have modified Yamaki with the features of the key-display controller external to the master CPU as taught by Nagashima

Art Unit: 2674

because Nagashima provides an information processing apparatus capable of identifying the key input through simple means without an interruption procedure in the master computer (col. 2, lines 39-42).

As to claims 2, 17, Yamaki discloses that the keyboard is an input-output device (16, Fig. 3).

As to claim 3, Yamaki discloses that the processor (11, 12) responds to an event-driven action (e.g. key input) from an input/output device to perform a control action on a device (e.g. display (35)).

As to claim 4, Yamaki discloses that the display is controlled simultaneously by system firmware ((11) and software device driver ((14, Fig. 3).

As to claims 5, 30, Yamaki discloses a hot-key action to perform a control action on display altering its current state or setting (col. 14, lines 59-63).

As to claims 8, 9, 27, Yamaki discloses an interruption generation logic (e.g. SMI 121, 122, 123, Fig. 3).

As to claims 10-12, 19, 23, Yamaki discloses that the control can be set and reset when it is completed (col. 10, lines 12-18). It is inherent to use a flag to set or reset a control device.

As to claims 13, 18, 24-26, 29, Yamaki discloses that the user can select different display settings (e.g. changing the brightness of the display).

As to claims 14, 15, 28, Yamaki further discloses a BIOS programming control. (14).

Art Unit: 2674

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The US Patents 5,565,897, 5,613,135, 5,630,147, 5,875,120, 6,766,461, 5,991,883, 2002/0152255, 2004/0093446 are cited to teach a display with input controller device.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

August 14, 2004


**XIAO WU
PRIMARY EXAMINER
ART UNIT 2674**